



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

(1) Thirteenth Account and Report of Successor Conservator and (2) Petition for Compensation to Conservator and Her Attorney

Age: 62			PUBLIC GUARDIAN , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
			Account period: 03/01/12 – 02/28/13	
			Accounting - \$769,015.91	
			Beginning POH - \$735,833.81	
Cont. from			Ending POH - \$718,577.80	
	Aff.Sub.Wit.		Conservator - \$1,984.96 (23.20	
✓	Verified		Staff hours @ \$76/hr. and 2.31 Deputy hours @	
	Inventory		\$96/hr.)	
	PTC		Attorney - \$1,000.00 (per	
	Not.Cred.		Local Rule)	
✓	Notice of Hrg		Bond Fee - \$1,796.44 (ok)	
✓	Aff.Mail	w/	Petitioner prays for an Order:	
	Aff.Pub.		1. Approving, allowing and settling the	
	Sp.Ntc.		thirteenth account;	
	Pers.Serv.		2. Authorizing the conservator and	
	Conf. Screen		attorney's fees and commissions;	
	Letters		3. Authorizing payment of the bond fee;	
	Duties/Supp		and	
	Objections		4. Finding that the conservatee is able to	
	Video Receipt		complete an affidavit of voter	
✓	CI Report		registration and is entitled to vote.	
	2620(c)	n/a	Court Investigator Jennifer Daniel filed a report	
✓	Order		on 05/23/12.	
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: JF	
			Reviewed on: 05/08/13	
			Updates:	
			Recommendation:	
			File 1A – Olguin	

Petition for Attorney's Fees [Prob. C. 1470(b)]

Age: 62		DAVID KNUDSON, Petitioner, was Court appointed to represent the Conservatee on 09/08/09 and then re-appointed on 06/27/11.	NEEDS/PROBLEMS/COMMENTS:
		PUBLIC GUARDIAN was appointed successor conservator of the person and estate on 12/13/96.	1. Need Order.
Cont. from		Petitioner requests fees in connection with the representation of the Conservatee.	
	Aff.Sub.Wit.		
✓	Verified	Petitioner asks that he be paid from the conservatorship estate for 7.3 attorney hours @ \$275.00/hr. and 1.6 paralegal hours @ \$80.00/hr. for a total fee request of \$2,135.50.	
	Inventory		
	PTC	Services are itemized by date and includes meeting with client, reviewing court accountings, responding to the clients concerns, and contacting deputy public guardian as needed.	
	Not.Cred.		
✓	Notice of Hrg	Petitioner states that in his experience, the Conservatee appreciates having an attorney to represent her interests, to discuss her concerns with, and as necessary, to act as an advocate on her behalf and to explain court procedures and things that may arise. Petitioner believes it is in the best interest of the Conservatee that he continue to represent her and feels it will also be helpful in the ongoing administration of the conservatorship.	
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: JF

Reviewed on: 05/08/13

Updates:

Recommendation:

File 1B – Olguin

Age: 98		NO TEMPORARY REQUESTED		NEEDS/PROBLEMS/COMMENTS:	
		MONTIE S. DAY , son, is Petitioner and requests appointment as Conservator of the Person and Conservator of the Estate without bond and with Probate Code § 2590 powers.		CONTINUED FROM 04/02/13	
				Minute order from 04/02/13 states: Court informs counsel to make sure the issue with Ms. Day's care facility is taken care of.	
Cont. from 040213				Court Investigator advised rights on 03/15/13.	
	Aff.Sub.Wit.			As of 05/07/13, nothing further has been filed and the following items remain:	
✓	Verified	Estimated Value of the Estate Personal property - \$10,000.00 Annual income- 13,600.00 Total - \$23,600.00		1. It is unclear whether the Petitioner is requesting medical consent powers. The Petition is not marked at item 1(f) re: lack of capacity, but is marked at item 9 of the Petition stating that the proposed conservatee lacks capacity. Further, the Petition requests that the court take judicial notice of the capacity declarations that have been filed in connection with the proposed conservatee's trust matter. Need clarification.	
	Inventory			2. Petitioner requests appointment without bond; however, effective 1/1/2008, pursuant to CRC 7.207, except as otherwise provided by statute, every conservator or guardian of the estate appointed after 12/31/2007, must furnish a bond, including a reasonable amount for the cost of recovery to collect the bond under Probate Code 2320(c)(4)). Per information provided in the Petition, bond should be set at \$25,960.00. Bond calculation worksheet in the file for reference.	
	PTC			3. Petitioners are requesting the court grant powers under Probate Code § 2591; however, pursuant to Local Rule 7.15.2 - it is the policy of the court to grant a guardian or conservator only those independent powers necessary in each case to administer the estate. A request for all powers described in Probate Code § 2591 will not be granted by the court. Each independent power requested must be justified by, and narrowly tailored to the specific circumstances of that case. Any powers so granted must be specified in the order and in the Letters of Guardianship or Conservatorship.	
	Not.Cred.			4. Need Order.	
✓	Notice of Hrg	<p>Petitioner alleges that Ms. Day suffers from dementia and Alzheimer's disease and has since before 2008. She has been incompetent to both manage her finances and/or resist fraud/undue influence since 2008. Ms. Day is currently residing in a care facility and requires total care. The management of Ms. Day's trust is currently being adjudicated in case 10CEPR00998 and Petitioner asks that the court take judicial notice of two physician's certificates attesting to Ms. Day's incompetence in that matter. Petitioner is requesting the power to sell personal or real property (other than the personal residence of the conservatee) of the estate without court confirmation and the power to pay, collect, compromise, or otherwise adjust claims, debts, or demands upon the conservatorship as described in subdivision (a) of § 2501, 2502 or 2504, or to arbitrate any dispute described in § 2406. Petitioner is requesting to be appointed without bond and states that in 1993, while competent, Ms. Day nominated him to serve as successor trustee of her trust and to serve without bond.</p> <p>Court Investigator Jennifer Daniel filed a report on 03/26/13.</p>			
✓	Aff.Mail				
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.				
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
✓	Video Receipt				
✓	CI Report				
	9202				
	Order	x			
	Aff. Posting			Reviewed by: JF	
	Status Rpt			Reviewed on: 05/07/13	
	UCCJEA			Updates:	
✓	Citation			Recommendation:	
	FTB Notice			File 5 - Day	

Sable, 11		NATASHA VASQUEZ , mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 04/22/13</u> 1. Need proof of service by mail of <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship</i> at least 15 days before the hearing on: <ul style="list-style-type: none"> - Keith Carter (father) - Christopher Carter (paternal grandfather) - Joseph Vasquez (maternal grandfather) - Dracos Becker (brother)
Killian, 8			
		MARIE WESCOTT , non-relative, was appointed Guardian on 12/14/10. – Served by mail on 03/03/13	
Cont. from 042213		Father: KEITH CARTER	
	Aff.Sub.Wit.	Paternal grandfather: CHRISTOPHER CARTER	
✓	Verified	Paternal grandmother: TAMERA COLLINSWORTH - deceased	
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg	Maternal grandfather: JOSEPH VASQUEZ	
✓	Aff.Mail	Maternal grandmother: SHELLY FULLERTON – Served by mail on 03/03/13	w/
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	Sibling: DRACOS BECKER (12)	
	Conf. Screen	Petitioner requests that the guardianship be terminated, and alleges that the guardian does not return phone calls or keep her informed on the welfare of the children. Petitioner alleges that the guardian is verbally hostile and misled the mediator when they attended mediation. Further, Petitioner alleges that the guardian has not kept the agreement that was made during mediation and hangs up on the mother during phone calls.	
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order	Court Investigator Jennifer Young filed a report on 04/16/13.	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: JF	
		Reviewed on: 05/07/13	
		Updates:	
		Recommendation:	
		File 8 – Carter	

Declaration of Natasha Vasquez, mother, filed 04/19/13 states: she does not feel that Marie Westcott is an appropriate guardian for her children. She states that she receives poor communication from Marie and she rarely responds to calls, texts, voicemails, or e-mails. Despite repeated requests, the guardian has failed to provide her information as to the children's health care and dental needs. Further, the guardian has failed to tell her when the children were having visitation with Pete Becker, her son Dracos' grandfather. Mr. Becker lives only 1.5 miles away and it would be a great opportunity for her to see the children since they live in Visalia which makes regular visits difficult. Ms. Vasquez states that the guardian fails to check the children's things when they come for a visit and Killian has been without appropriate clothing on more than one occasion. Ms. Vasquez states that she has had to buy him clothing so that he would have appropriate clothes to wear. Further, Ms. Vasquez states that Marie Westcott has lied to her, friends, the Court and the police. Ms. Vasquez states that she had a difficult time getting information from the Sheriff's department. She states that she understands the issues with Dracos and has done everything she has been told to do to care for him. She does not understand why she has been cut off from having communication with the children even though she had no role in the alleged occurrence. She states that she was not present when the events allegedly took place. She states that she didn't even know that Killian & Sable were at Pete Becker's house when the incident allegedly took place. She states that she loves her children and agrees that they should seek counseling. She states that she is able to help them and she now has a better understanding of their situation. She states that she is working to provide a future for herself and her children. She requests that the Court takes time with this delicate matter and has faith that something positive will come out of all of this.

Age: 13 years		TEMPORARY EXPIRES 5/13/2013		NEEDS/PROBLEMS/COMMENTS:	
Cont. from 030413					
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail				
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.				
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				

GRAZIELA SAUCEDA, paternal grandmother, is petitioner.

Father: **WILLIAM ANTHONY SANTOS**

Mother: **VIVA GARCIA**

Paternal grandfather: not listed
Maternal grandparents: not listed

Petitioner states mother has left the minor with petitioner and she does not want to take care of her.

Court Investigator Samantha Henson's Report filed on 2/26/13.

Continued from 3/4/13. Minute order states the Court informs the Petitioner that the mother and father need to be personally served. The Petitioner is to cure the remaining defects. **As of 5/8/13 the following issues remain:**

- Petition does not include the names and addresses of the paternal grandfather and the maternal grandparents.
- Need proof of personal service of the Notice of Hearing along with a copy of the Petition, or Consent and Waiver of Notice, or Declaration of Due Diligence on:
 - William Anthony Santos (father)
 - Viva Garcia (mother)
 - Abrina N. Santos (minor)
- Need proof of service of the Notice of Hearing along with a copy of the Petition, or Consent and Waiver of Notice, or Declaration of Due Diligence on:
 - Paternal grandfather
 - Maternal grandfather
 - Maternal grandmother
- UCCJEA is incomplete. Need residence information for the minor for 2007 – 9/20012.

Reviewed by: KT
Reviewed on: 5/8/13/13
Updates:
Recommendation:
File 9 - Santos